

**REMARKS****Summary of the Office Action**

Claims 1 and 7 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with enablement requirement.

Claims 1-4, 6 and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fujita et al. (U.S. Patent Pub. No. 2004/0062402) (hereinafter "Fujita") in view of Yang et al. (U.S. Patent No. 6,975,738) (hereinafter "Yang") and further in view of Tatsuta et al. (U.S. Patent No. 7,292,697) (hereinafter "Tatsuta").

Claim 5 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fujita, Yang, and Tatsuta, as applied to claim 1 above, in view of Serikawa et al (U.S. Patent No. 5,796,845) (hereinafter "Serikawa").

Claims 7-9 and 11-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fujita, in view of Yang, and further in view of Klayman et al. (U.S. Patent No. 7,043,031) (hereinafter "Klayman").

**Summary of the Response to the Office Action**

Applicant has amended independent claims 1 and 7-13 to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. Accordingly, claims 1-13 remain currently pending and under consideration.

**Rejection under 35 U.S.C. § 112, First Paragraph**

Claims 1 and 7 stand rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with enablement requirement. Claims 1 and 7 have been newly-amended to

differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims in response to the Examiner's comments at pages 2-3, sections 2-4 of the Office Action.

With regard to the newly-implemented amendments to independent claim 1, Applicant respectfully submits that the revised portions are fully supported by the specification and the drawings of the present application. For example, paragraph [0067] of the specification, states, "...in the case where the integral surround speaker 133 is ... of the surround signal to the D/A converter."

Also, with regard to the newly-implemented amendments to the independent claim 7, Applicant respectfully submits that the revised portions are fully supported by the specification and the drawings of the present application. For example, paragraph [0094] of the specification states "...in the case where ... to the adder 205." Also, paragraph [0095] of the specification states "...in the case where ... from the right surround signal."

Applicant respectfully submits that all of the currently pending claims, as amended, fully comply with the requirements of 35 U.S.C. § 112, first paragraph. Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. § 112, first paragraph be withdrawn.

**Rejection under 35 U.S.C. § 103(a)**

Claims 1-4, 6 and 10 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fujita in view of Yang, and further in view of Tatsuta. Claim 5 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fujita, Yang, and Tatsuta, as applied to claim 1 above, in view of Serikawa. Claims 7-9 and 11-13 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fujita, in view of Yang, and further in view

of Klayman. To the extent that these rejections might be deemed to still apply to the claims as newly-amended, the rejections are respectfully traversed for at least the following reasons.

The Examiner conceded, at page 5 of the Office Action, that Fujita fails to disclose “an integral surround speaker” of claim 1. However, the Examiner cited Yang as allegedly curing the deficiencies of Fujita.

Applicant respectfully submits that Yang discloses that speakers (2, 2), or (3, 3) are integrally built on the respective sides of a color television set 1 and in front of a listening position. The speakers (2, 2), or (3, 3) correspond to “a pair of right and left main speakers” of claim 1, and does not correspond to “an integral surround speaker” of claim 1. Therefore, Applicant respectfully submits that Yang does not disclose “an integral surround speaker obtained by integrally forming a left surround speaker ... and a right surround speaker” as described in independent claim 1 of the instant application.

Further, Applicant respectfully submits that because the feature of “wherein the integral surround speaker is installed separately from a pair of the right and left main speakers” has been added to claim 1, the difference between the invention of claim 1 and Yang is clear.

The Examiner also conceded, at page 6 of the Office Action, that the combined teachings of Fujita and Yang fail to disclose the features of a signal adjusting device, an adding device, and an output device of claim 1. However, the Examiner cited Tatsuta as allegedly curing the deficiencies of Fujita and Yang.

Applicant respectfully submits that Tatsuta discloses that a center-channel signal Cn is supplied through phase shifters 2, 3 to adders 4, 5, and multiplied with signals for speakers SPL, SPR, and does not disclose adjusting a surround signal to be outputted to an integral surround speaker, and adding at least part of the adjusted surround signal to a main signal.

In other words, Applicant respectfully submits that Tatsuta does not disclose at least the following features of claim 1: adjusting a frequency characteristic of a surround signal, adding a component of at least portion of the adjusted surround signal to a main signal, outputting the added main signal to the corresponding main speaker, and outputting at least part of the adjusted surround signal to the corresponding surround speaker.

Accordingly, Applicant respectfully submits that the invention of claim 1 is not obvious in light of Fujita, Yang, and Tatsuta whether taken separately or in combination with each other.

With regard to the rejection of independent claim 7, the Examiner conceded, at page 9 of the Office Action that Fujita fails to disclose “an integral surround speaker” of claim 7 of the instant application. However, the Examiner cited Yang as allegedly curing these deficiencies of Fujita.

For the same reasons as discussed previously with regard to independent claim 1, Applicant respectfully submits that Yang does not disclose “an integral surround speaker obtained by integrally forming a left surround speaker ... and a right surround speaker,” as described in independent claim 7 of the instant application.

Further, Applicant respectfully submits that because the feature of “wherein the integral surround speaker is installed separately from a pair of the right and left main speakers” has been added to claim 7, the difference between the invention of claim 7 and Yang is clear.

The Examiner also conceded, at page 10 of the Office Action, that the combined teachings of Fujita and Yang fail to disclose the features of a generating device, a first computing device, a second computing device, an adding device, and an output device of independent claim 7 of the instant application. However, the Examiner cited Klayman as allegedly curing the deficiencies of Fujita and Yang in these regards.

Applicant respectfully submits that Klayman discloses a stereo image enhancement circuit in which a pair of left and right input audio signals are processed in a stereo image enhancement circuit, and are outputted as left and right outputs. Applicant respectfully submits that Klayman does not disclose at least the following features of independent claim 7 of the instant application: generating a differential signal based on surround signals to be supplied to an integral surround speaker, adding and subtracting the generated differential signal to and from a surround signal, and adding each of the added surround signal and the subtracted surround signal to a main signal.

In other words, Applicant respectfully submits that Klayman does not disclose at least the features of independent claim 7 of a generating device, a first computing device, a second computing device, an adding device, and an output device.

Accordingly, Applicant respectfully submits that the invention of claim 7 is not obvious in light of Fujita, Yang, and Klayman, whether taken separately or in combination with each other.

The remaining independent claims 8-13 have also been newly-amended to describe “wherein the integral surround speaker is installed separately from a pair of the right and left main speakers.” Accordingly, similar arguments as discussed above with regard to newly-amended independent claims 1 and 7 in these regards also apply to newly-amended independent claims 8-13.

Accordingly, Applicant respectfully asserts that the rejections under 35 U.S.C. § 103(a) should be withdrawn because none of the applied Fujita, Yang, Tatsuta, and Klayman references, whether taken separately or combined, teach, or even suggest, each feature of independent claims 1 or 7-13 of the instant application, as newly-amended. As pointed out by MPEP § 2143.03,

“[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.’ In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).”

Furthermore, Applicant respectfully asserts that the dependent claims 2-6 are allowable at least because of their dependence from newly-amended independent claim 1, and the reasons discussed previously, and also for the additional features that they recite. In addition, the additionally applied reference to Serikawa, with regard to dependent claim 5, does not cure the deficiencies discussed above with regard to Fujita, Yang, and Tatsuta.

### **CONCLUSION**

In view of the foregoing, Applicant submits that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response; the Examiner is invited to contact Applicant’s undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**

Dated: July 15, 2009

By:

A handwritten signature in black ink, appearing to read "Paul A. Fournier", is written over a horizontal line.

Paul A. Fournier

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